

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **People of MI v Richard James Martinez**

Docket No. **288221**

L.C. No. **08-000726 FH**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the judgment of sentence, which was based upon a plea to a crime committed after December 27, 1994, is not appealable as a matter of right. MCR 7.203(A)(1)(b). Further, an order denying a motion to withdraw the plea is not a final order. See MCR 7.202(6)(b).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**OCT 27 2008**

Date

*Sandra Schultz Mengel*

Chief Clerk